

Serial No. 09/724,730



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Case No. 4443DI

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Paul D. Grossman

Serial No: 09/724,730

Art Unit: 1655

Filed: November 28, 2000

Examiner: J. Einsmann

Title: PROBE / MOBILITY MODIFIER COMPLEXES FOR MULTIPLEX
NUCLEIC ACID DETECTION

RESPONSE UNDER 37 CFR 1.111
TO THE OFFICE ACTION MAILED FEBRUARY 9, 2001

Assistant Commissioner of Patents
Washington, D. C. 20231

Dear Sirs:

Responsive to the Office Action mailed February 9, 2001 (paper no. 4), the applicants respectfully request reconsideration of this application in light of the following remarks.

I. REMARKS

Claims 1-12 (as renumbered by the examiner) are pending. The pending claims are presented in the attached Appendix.

Rejections Under 35 U.S.C. § 102

At paragraph 3, the examiner has rejected claims 1-3, 5, and 7-11 under 35 U.S.C. § 102 as being anticipated by Norton *et al.*, Bioorganic & Medicinal Chemistry, 3(4): 437-455 (1995) ("Norton"). The rejection is respectfully traversed in light of the following remarks.

A. The Rejection. In her rejection, the examiner states that:

"Specifically, Norton *et al.* teach PNA probes labeled with staphylococcal nuclease bound to a portion of a target sequence. The staphylococcal nuclease bound to the PNA probe is a tail which would effect the mobility of the PNA tag complement to